



EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. KBB 2005 - 70

***LIMITED TRANSFER OF AUTHORITY TO COMMISSIONER OF INSURANCE AND
RULES DIRECTIVE FOR PATIENT & COMPENSATION FUND; HURRICANES KATRINA AND RITA
AMENDS EXECUTIVE ORDER NO. KBB 2005-40***

WHEREAS, Executive Order No. KBB 2005-40, issued on September 19, 2005, transferred to the commissioner of insurance limited authority to suspend laws regarding legal deadlines and certain processes and procedures as it applies to Louisiana citizens who on August 29, 2005, resided in certain parishes regarding any and all insurance matters, including but not limited to, flood insurance, life insurance, commercial general insurance, property and casualty insurance, vehicle insurance, liability insurance, burglary and forgery insurance, glass insurance, homeowner's insurance, health and accident insurance, health maintenance organizations, fire and extended coverage insurance, crop and livestock insurance, marine and transportation insurance, credit life insurance, health and accident insurance, all surplus lines insurance, reciprocal insurance, reinsurance, credit

WHEREAS, subsequently, Hurricane Rita struck the state of Louisiana resulting in severe flooding and damage to the southwestern part of the state, which has threatened the safety and security of the citizens of the affected areas of the state of Louisiana, along with private property and public facilities;

WHEREAS, the commissioner of insurance has requested the governor to amend Executive Order No. KBB 2005-40, issued on September 19, 2005, to include the citizens who, as of September 20, 2005, resided in the parishes affected by Hurricane Rita; and

WHEREAS, it is also necessary to amend Executive Order No. KBB 2005-40, to indicate a termination date for this limited transfer of authority to the commissioner of insurance;

NOW THEREFORE I, KATHLEEN BABINEAUX BLANCO, Governor of the state of Louisiana, by virtue of the authority vested by the Constitution and laws of the state of Louisiana, do hereby order and direct as follows:

SECTION 1: Section 4 of Executive Order No. KBB 2005-40, issued on September 19, 2005, is amended as follows:

- A. A limited transfer of authority as referenced in Sections 1, 2, and 3 shall specifically include, but is not limited to, the authority to suspend applicable statutes, issue any rules, regulations, directives or take any other actions that the commissioner deems necessary to protect the public health, safety, and welfare of the citizens of Louisiana, who were affected by Hurricane Katrina and on August 29, 2005 resided in the following parishes: Jefferson; Lafourche; Livingston; Orleans; Plaquemines; St. Bernard; St. Charles; St. James; St. John the Baptist; St. Mary; St. Tammany; Tangipahoa; Terrebonne; and Washington; and
- B. A limited transfer of authority as referenced in Sections 1, 2, and 3 shall specifically include, but is not limited to, the authority to suspend applicable statutes, issue any rules, regulations, directives or take any other actions that the commissioner deems necessary to protect the public health, safety, and welfare of the citizens of Louisiana, who were affected by Hurricane Rita and on September 20, 2005 resided in the following parishes: Acadia, Allen; Beauregard, Calcasieu, Cameron, Iberia, Jefferson Davis, Lafayette, Lafourche, St. Mary, Terrebonne, and Vermilion.

SECTION 2: Section 7 of Executive Order No. KBB 2005-40, issued on September 19, 2005, is amended as follows:

This limited transfer of authority shall remain in full force and effect for the duration of the state of emergency and/or disaster any subsequent state of emergency and/or disaster declared thereafter, with regard to the disaster caused by Hurricanes Katrina and Rita. Additionally, any rules, regulations, directives or any actions taken by the governor or the commissioner of Insurance during the state of emergency and/or disaster that is in effect or any subsequent state of emergency and/or disaster is declared, shall remain in full force and effect notwithstanding the lifting of the state of emergency and/or disaster.

SECTION 3: Section 8 of Executive Order No. KBB 2005-40, issued on September 19, 2005, is amended as follows:

The Department of Insurance Emergency Rule Nos. 15, 16, and 17 as enacted and amended, are hereby declared to be part of this Order, and authorizes if necessary, the suspension of any laws, rules, and regulations necessary for the implementation and enforcement of such laws, rules and regulations.

SECTION 4: Executive Order No. KBB 2005-40, issued on September 19, 2005, shall continue in effect until December 31, 2005.

SECTION 5: All other paragraphs, subsections, and sections of Executive Order No. KBB 2005-40 shall remain in full force and effect.

SECTION 6: This Order is effective upon signature and shall continue in effect until December 31, 2005, unless amended, modified, terminated, or rescinded by the governor, or terminated by operation of law.



**ATTEST BY
THE GOVERNOR**

/S/ Al Ater
SECRETARY OF STATE

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the city of Baton Rouge, on this 24th day of October, 2005.

//S/ Kathleen Babineaux Blanco
GOVERNOR OF LOUISIANA